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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,267	04/26/2006	Bret David Hawkins	PU030298	4090
24498	7590	07/02/2008		
Joseph J. Laks			EXAMINER	
Thomson Licensing LLC			CHOKSHI, PINKAL R	
2 Independence Way, Patent Operations				
PO Box 5312			ART UNIT	
PRINCETON, NJ 08543			PAPER NUMBER	
			2623	
			MAIL DATE	
			DELIVERY MODE	
			07/02/2008	
			PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/577,267

Applicant(s)

HAWKINS ET AL.

Examiner

PINKAL CHOKSHI

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 26 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/CIS)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1 and 4-8** are rejected under 35 U.S.C. 102(e) as being anticipated by US PG Pub 2002/0194599 to Mountain et al. (hereafter referenced as Mountain).

Regarding **claim 1**, “a method for displaying information of a future program by a television apparatus” reads on the method that provides next program information (abstract and ¶0008) disclosed by Mountain and represented in Fig. 2A.

As to “the method comprising the steps of: receiving, by the television apparatus, program information” Mountain discloses (¶0022) that the broadcast data receiver receives and process television program data (EPG).

As to “determining, by the television apparatus, a future program of a currently tuned television channel from the received program information in response to receiving the program information” Mountain discloses (¶0023 and ¶0027) that based on the EPG programming data received, receiver processes

and uses this data to trigger and generate a display of end of current program and start time of next program on the same channel as represented in Fig. 2A.

As to “displaying information of the determined future program” Mountain discloses (§0023) that the message display is generated and indicates viewer that a new program can be viewed on the same channel as represented in Figs. 2A-2C.

Regarding **claim 4**, “the method, wherein the step of receiving program information comprises receiving program information comprising program guide data” Mountain discloses (§0004) that the receiving device receives and generates program guide data.

Regarding **claim 5**, “the method, wherein the step of receiving program information comprises receiving program information comprising a program guide” Mountain discloses (§0004) that the receiving device receives and generates program guide.

Regarding **claim 6**, “the method, wherein the step of receiving program information comprises receiving program information comprising data for the future program” Mountain discloses (§0008) that the receiver receives data for next program which is about to start as represented in Fig. 2A.

Regarding **claim 7**, "the method, wherein the step of displaying information of the determined future program includes displaying one or more of a future program title, a future program time length, a future program time start and stop, a future program rating, a future program brief description, and a future program expanded description" Mountain discloses (§0023) that the displaying information provided includes the program title, start time, channel number, etc. as represented in Figs. 2A-2C.

Regarding **claim 8**, "the method, wherein the step of displaying information of the determined future program includes displaying the information of the determined future program for a predetermined period of time" Mountain discloses (§0007) that the display for the next program remains on the TV screen for a predetermined period of time.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 2, 3, and 9-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mountain et al. in view of US Patent 6,763,522 to Kondo et al (hereafter referenced as Kondo).

Regarding **claim 2**, "the method, wherein the step of receiving program information comprises receiving program information comprising program and system information data" Mountain discloses (§¶0004 and §¶0022) that the EPG is generated from received data which includes television programming data and television channels. However, Mountain does not teach program information includes PSI data. Kondo discloses (col.2, lines 30-34) that the received transport stream includes PSI stream data. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 3**, "the method, wherein the step of receiving program information comprises receiving program information comprising program and system information protocol event information table data" Mountain discloses (§¶0005) that the EPG table includes time, program title and channel data of the specific program. However, Mountain does not teach program information includes PSI protocol table. Kondo discloses (col.2, lines 42-50) that the PSI streams are multiplexed to the transport protocol where PSI table protocol is defined by ATSC standard. Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as

processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 9**, "a television apparatus comprising: storage configured for storing program information for television programs" Mountain discloses (§10022) that the list of channels/programs are stored in the memory of the television receiver.

Mountain meets all the limitations of the claim except "a controller configured for displaying program information of a future television program of a currently tuned television channel in response to the television apparatus receiving an update of the stored program information." However, Kondo discloses (col.2, lines 55-59; col.3, lines 27-48) that the processor circuit controls all the operation such as after processor comparing current program with stored program, it updates the list and EPG provides GUI to enable viewer to select a channel for future program using an icon as represented in Fig. 1 (element 42). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 10**, "the television apparatus further comprising a program and system information protocol processor configured for obtaining

program information for television programs from a program and system information portion of a received television signal" Kondo discloses (col.2, lines 34-38) that the program and system information stream provides EPG data carried in the transport stream as represented in Fig. 1 (element 45). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 11**, "the television apparatus further comprising a program guide data processor configured for obtaining program information for television programs from a guide data portion of a received television signal" Kondo discloses (col.5, lines 19-21; col.8, lines 8-14) that the tuner receives transport stream which includes audio/video and EPG data and processor sends the command to tuner to de-mux program information received in the device as represented in Fig. 1 (element 10). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 12**, "the television apparatus further comprising a program guide processor configured for obtaining program information for television programs from a program guide portion of a received television signal" Kondo discloses (col.5, lines 19-21; col.8, lines 8-14) that the tuner receives transport stream which includes audio/video and EPG data and processor sends the command to tuner to de-mux program information received in the device as represented in Fig. 1 (element 10). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 13**, "the television apparatus wherein the controller is further configured for displaying information of the determined future program comprising one or more of a future program title, a future program time length, a future program time start and stop, a future program rating, a future program brief description, and a future program expanded description" Mountain discloses (§10023) that the displaying information provided on television screen includes the program title, start time, channel number, etc. as represented in Figs. 2A-2C.

Regarding **claim 14**, "the television apparatus wherein the controller is further configured for displaying information of the determined future program for

a predetermined period of time" Mountain discloses (§0007) that the display for the next program remains on the TV screen for a predetermined period of time.

Regarding **claim 15**, "a television apparatus comprising: means for storing program information for a plurality of television programs" Mountain discloses (§0022) that the list of channels/programs are stored in the memory of the television receiver.

Mountain meets all the limitations of the claim except "means for controlling display of program information of a future television program of a currently tuned television channel in response to the television apparatus receiving an update of the stored program information." However, Kondo discloses (col.2, lines 55-59; col.3, lines 27-48) that the processor circuit controls all the operation such as after processor comparing current program with stored program, it updates the list and EPG provides GUI to enable viewer to select a channel for future program using an icon as represented in Fig. 1 (element 42). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 16**, "the television apparatus further comprising means for obtaining program information for a plurality of television programs from a

program and system information portion of a received television signal" Kondo discloses (col.2, lines 34-38) that the program and system information stream provides EPG data carried in the transport stream as represented in Fig. 1 (element 45). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 17**, "the television apparatus further comprising means for obtaining program information for television programs from a guide data portion of a received television signal" Kondo discloses (col.5, lines 19-21; col.8, lines 8-14) that the tuner receives transport stream which includes audio/video and EPG data and processor sends the command to tuner to de-mux program information received in the device as represented in Fig. 1 (element 10). Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 18**, "the television apparatus further comprising means for obtaining program information for television programs from a program guide portion of a received television signal" Kondo discloses (col.5, lines 19-21; col.8,

lines 8-14) that the tuner receives transport stream which includes audio/video and EPG data and processor sends the command to tuner to de-mux program information received in the device as represented in Fig. 1 (element 10).

Therefore, it would have been obvious to one of the ordinary skills in the art at the time of the invention to use controller such as processor to display program information as taught by Kondo in order to provide changes of EPG to accurately display to the television viewer (col.2, lines 7-9).

Regarding **claim 19**, "the television apparatus wherein the means for controlling display includes means for displaying information of the determined future program comprising one or more of a future program title, a future program time length, a future program time start and stop, a future program rating, a future program brief description, and a future program expanded description" Mountain discloses (§0023) that the displaying information provided on television screen includes the program title, start time, channel number, etc. as represented in Figs. 2A-2C.

Regarding **claim 20**, "the television apparatus wherein the means for controlling display includes means for displaying information of the determined future program for a predetermined period of time" Mountain discloses (§0007) that the display for the next program remains on the TV screen for a predetermined period of time.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent 6,637,029 to Maissel et al. discloses intelligent electronic program guide.
- US Patent 6,331,877 to Bennington et al. discloses program guide system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PRC/

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2623